

BBNP LOCAL ACCESS FORUM

Confirmed Minutes of the 9th Meeting held at 2.00pm on Thursday 4th March, 2010 at the BBNPA Headquarters, Brecon

Present

Chairman:- John Evans (JE)

Secretary: - Richard Ball (RB)

Mike Scott-Archer (MSA)

Colin Woodley (CW)

Michael Ash (MA)

Helen Lloyd Jones (HLJ)

David Thomas (DT)

Graham Davies (GD)

Gwyn Gwillim (GG)

Neil Bennett (NB)

Pamela Bell (PB)

Jeremy Atkinson (JeA)

David Mantle (DM)

Observers:

Eifion Jones (EJ)

Rights of Way Officer, BBNPA

Kirsty Mallindine

Access Assistant, BBNPA

Avril Barnes

Rights of Way Assistant, BBNPA

Three members of the public were present: Judy Cox (JuC), Torfaen LAF, Roger Thomas, Tredegar Town Council and Rob Reith, National Trust.

1. Welcome and Apologies

JE welcomed members and observers. Apologies for absence were received from Julian Atkins (JuA), Martin Skinner (MS), Michael Smith (CCW), Andrew Fleming (Blaenau Gwent CBC), Roger Harris (Abergavenny TC) and Emyr Jenkins (Cwmaman CC).

2. Confirmation of Minutes from the Meeting of 10th December, 2009

The minutes were accepted with no alterations and it was agreed that JE should sign them as a true record.

3. Matters Arising not otherwise appearing on Agenda

3.1 Disabled Access: Correspondence with WAG

JE has received nothing further from WAG since the last meeting.

3.2 Climbing Higher and Creating an Active Wales

JE reported that Climbing Higher has been superseded by Creating an Active Wales.

Members were urged to obtain a copy either directly from WAG (Food and Physical Activity Branch, Welsh Assembly Government, Cathays Park, Cardiff, CF10 3NQ or 02920 826292) or by downloading it

(<http://wales.gov.uk/docs/phhs/publications/activewales/100121activewalesen.pdf>) and the item is to be discussed at the next meeting once members have had a chance to read it.

3.3 Waterfalls Area Management Plan

RB showed members a copy of a draft map and leaflet for the Code of Conduct indicating sensitive areas along the gorge and preferred access / egress points. The launch date for

this has been delayed but will be discussed at the next Steering Group meeting to be held on 17 March 2010. A progress report will be given at the next meeting.

3.4 Beacons Way Steering Group

MSA reported the matters arising from the BWSG meeting on 26 January 2010 were marking the start and finish of the Beacons Way, Chris Barber is updating his route guide, and the proposed realignment of the route close to Carreg Cennen Castle will not proceed. Downloadable route guides will be available in the future on a new website due to be launched in April 2010 called Park Explorer. RB reported that £20,000 of RoWIP money has been spent on the route.

Action Point: RB to organise a Park Explorer demonstration for the next meeting.

3.5 Powys LAF

MSA reported that Powys LAF discussed how Glastir would affect the operation of LAFs, Treadlighty!, and a document called 'Development and Public Rights of Way: A Practitioner's Guide' that helps to identify Rights of Ways affected by development and what to do if they are infringed. He also said that there was enthusiasm amongst Powys LAF members for the Cambrian Mountains to become an AONB as this would restrict development and improve access to the countryside. He invited members to attend a meeting in May at Shropshire Hills Discovery Centre, Craven Arms at 10 am to discuss how an AONB can benefit an area.

3.6 Cattle Attacks

No comments were made by members on the paper by Clive Williams of Neath Port Talbot CBC.

3.7 Gates on Bridleways

JE asked NB, on behalf of Jean Rosenfeld, to give a presentation on Gates on Bridleways to the LAF Conference on 20 May 2010, at Builth Wells. NB accepted.

NB gave two examples of gates across bridleways; Slwch Lane and Mynydd Illtyd. EJ said the matters were still being looked into and he would report back at the next meeting.

GD asked if landowners could be forced to replace stiles with gates. NB said that under Section 147ZA of the Highways Act 1980, it is a legal requirement to consider people with mobility problems. EJ informed members that landowners cannot be forced to replace existing stiles with gates; that there is a duty to consider the less able but there is no duty to install gates. JE said that most stiles in Powys are not to British Standard but EJ pointed out that the British Standard is only guidance and not a requirement.

JE said there was a need to discuss further gates versus stiles at the next meeting and members should bring examples of routes where stiles should be replaced with gates.

Action Point: EJ to report on the gates on Slwch Lane and Mynydd Illtyd. Members to inform EJ of examples of routes where stiles should be replaced with gates before the next meeting in order for him to carry out research for comment at the next meeting.

3.8 Monnow Bridge

This bridge has been replaced but the Rights of Way, as shown on the Definitive Map, do not join it. There is however a permitted path. Monmouthshire County Council is completing the legal process to join the routes and would like an opening ceremony. There was little enthusiasm among the members to be involved.

JuC informed members that she had been approached to write a short history of the bridge and asked members for any information they could supply.

3.9 Talybont Reservoir Improvements

RB told members that the application to PAVO had been turned down. Splash money was to be used to develop two short circuits with wheelchair access and for improvements to a path to the bird hide. The work will be completed by the end of March 2010. A bid by the Brecon Beacons Park Society to the Beacons Trust may be made shortly. JE said he would ask Peter Ogden from the Beacons Trust to give a presentation to members at the next meeting

Action Point: JE to ask Peter Ogden from the Beacons Trust to give a presentation at the next meeting.

3.10 Multi-user Path, Talybont

NB reported that there had been no progress and the matter would be resubmitted in May.

3.11 Membership of Forum

RB said there can be up to 22 members on a LAF. No names for additional members were put forward.

4. Water Related Recreation

4.1 Splash Officer

Gerald (Gez) Richards (GR) was introduced as the new Splash Officer. He gave a PowerPoint presentation on his project (copy attached).

PB voiced concern that there had been no progress in the last 50 years with rights of navigation for canoeists and the Splash project appeared to be using the assumption that there was no right to navigation for canoeists. Reverend Douglas Caffyn challenges this view and has written to the NAW Sustainability Committee saying there was a public right of navigation on all rivers prior to 1750 and this right still exists. He says there has been a misunderstanding and has asked the National Assembly of Wales to confirm the original law. GR said that his contract is only until March 2011 and he has a brief to increase participation and improve access.

JE asked GR to return to the December LAF meeting with a progress report.

4.2 Petition to NAW Sustainability Committee

PB informed members that the enquiry had been completed and a report may be out at Easter.

5. North West Wales Outdoor Partnership

This item was adjourned until the June meeting as MS was not present.

6. Hay Festival 2010

HLJ reported that a walk has been arranged for 4 June at 9.30 am and RB has agreed to be the walk leader. A 29 seater bus has been provisionally booked.

7. Fences

7.1 Gap Road

RB reported an application to retain the fencing had been made by the Brecon Beacons Graziers Association and that WAG had deferred a decision for 6 months for further

discussion. The argument made by the applicant is that if the fence is not retained it will discourage grazing and the common will be difficult to manage. A meeting has taken place to explore the possibility of a managed grazing plan but there has been limited progress.

7.2 Penderyn Common

Paul Sinnadurai, BBNPA senior ecologist, is leading on the application. He has received evidence from the Penderyn Graziers Association and is adding this to the application.

7.3 Black Mountains SSSI

The fencing application has been submitted to the Planning Inspectorate (PI) by Natural England (NE). An informal consultation was carried out by BBNPA on behalf of NE before submission and the formal period where interested parties can comment to the PI finished at the end of February. BBNPA has received no feedback to date.

8. National Park Management Plan

Bradley Welch, BBNPA NPMP Officer, gave a PowerPoint presentation of an overview of the second consultation (copy attached). He informed members that he had responded to all comments received, more than 600 in total. He said the next version would be presented to BBNPA members in April for their approval of the text, and then it would be translated into Welsh.

9. Rights of Way Orders

9.1 Bridleway 6, Talybont on Usk

EJ reported that the Turnpike status of the route and how turnpike trusts managed and maintained turnpike roads have been researched as well as the Turnpike Acts 1809 and 1830, and the Highway Act of 1835 to identify the powers trusts had to divert, create and extinguish routes. Work is still in progress.

9.2 Footpath 146, Betws, Crucorney

No further progress had been made on negotiations to divert this footpath.

10. Planning Applications Affecting Public Rights of Way

10.1 Wind Turbine on 15 Metre Tower, Cwmyoy

A planning application had been received by BBNPA to erect a 15m wind turbine at Great Llwygy Farm, close to a bridleway. EJ responded to the consultation conducted by the BBNPA planning department saying that it was too close to the bridleway and referred them to BHS advice recommending a distance of 200m from a bridleway. The BBPS lodged an objection due to its proximity to the Beacons Way. NB commented that the latest advice he had received from a BHS representative was the distance of a turbine from a bridleway should be 3 times its height.

10.2 Advertisements Placed by the Planning Department

JE suggested that the wording for planning advertisements in the local press should be altered to reflect whether a right of way was in the area of a proposed development and whether it would be affected. EJ thought that the planning department was using a statutory format.

11. Unrecorded Rights of Way

JE reminded members that 2026 was the year when all unrecorded PROW should be registered. He asked members to draw up a list of any unrecorded routes and suggested the Forum should keep the lists. JeA thought that the date of 2026 was being reviewed. EJ said that a draft paper had been produced by the Stakeholder Working Group looking into the recording of Lost Ways. There was limited circulation so far but the report would end up

with DEFRA. The group commented on the inefficiencies of the current procedure and decided the current process should be made more efficient to allow for recording of Lost Ways. EJ was uncertain what effect the forthcoming general election would have on the implementation of the advice, but it would require primary legislation to change the 2026 date.

HLJ suggested that the LAF write to local MPs to suggest the deferment of the date. She added that the Greater Gwent Ramblers were putting forward proposals to alleviate the problem of farmyard anomalies, which would include a right for the farmer to divert the route. EJ said that the Stakeholder Working Group had suggested a streamlined means for farmers to amend unrecorded routes that would be a hindrance to agricultural operations.

Action Point: *JE to write to local MPs to ask for a deferment of the cut-off date for claiming unrecorded rights of way.*

12. Information Items

12.1 Crickhowell Walking Festival

JE informed members that the festival was taking place between 27 February and 7 March 2010.

12.2 LAF Chairmen Meeting 25 February 2010

JE gave a verbal report and notes from the meeting are attached.

12.3 National Access Forum: 9 March 2010

Anne Humble will give a presentation about Glastir, which is to be administered by WAG and not CCW as Tir Gofal was.

13. Annual Report 2009/10

The report will be compiled after the end of the financial year. A draft copy will be brought to the June meeting.

Action Point: *A draft copy of the Annual Report to be produced by the next meeting.*

14. Relationship with PAROW Committee

JE would like to establish relations with the committee, for example members of PAROW attending LAF meetings. He felt he was unable to take this matter forward until JuA was present.

15. Any Other Business

15.1 Dates of Future Meetings

Dates for future meetings were agreed and are as follows:

Thursday 10 June 2010

Thursday 2 September 2010

Thursday 2 December 2010

They will be held at the BBNPA office at 2 pm.

15.2 Walking and Cycling Awareness Day

The event has been organised by Merthyr Tydfil Council's Public Rights of Way Section and is taking place at Merthyr Tydfil Leisure Centre between 9:30am and 4pm on 23 March 2010.

15.3 Gethin Woodland Park

The mountain bike trail at Gethin Woodland Park, Merthyr Tydfil will extend into the BBNP.

15.4 Brynhenllys

GD informed members that after years of negotiation with landowners of the former Brynhenllys opencast coal site, the rights of way had been put into place from Upper Cwmtwrch to the site and onto open access land within the BBNP. Through a grant application interpretation boards have been installed and leaflets produced. He praised the work Judith Harvey (BBNPA Western Area Manager) and her team of wardens had put in.

15.5 Nant Llech Project

DT informed members of the improvements to the path along the Nant Llech, from Ynyswen to Henrhyd Waterfalls. The path surface has been improved and is now more accessible. There are new signposts and an audio trail.

15.6 CROW Act

JuC reminded members that the CROW Act is now ten years old and needs to be reviewed. She asked members to forward comments to RB.

Action Point: Members to forward comments regarding a review of the CROW Act to RB.

15.7 Mountain Centre, Libanus

RT suggested to members that the Mountain Centre should have an activity area for children, which would attract families. RB said that the BBNPA were commissioning a report looking at the options of redevelopment of the centre.

The meeting closed at 17:20